

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN
MILWAUKEE DIVISION

ANDREW L. COLBORN,
Plaintiff
vs.

NETFLIX, INC.,
CHROME MEDIA, LLC, f/k/a
SYNTHESIS FILMS, LLC,
LAURA RICCIARDI, and
MOIRA DEMOS,

Case No. 19-CV-484

Defendants.

**MOTION (IN THE ALTERNATIVE) TO EXTEND TIME FOR SERVICE
OF SUMMONS AND COMPLAINT PURSUANT TO FED.R.CIV.PRO. 4(m)**

Plaintiff, by and through his undersigned counsel and pursuant to Federal Rule of Civil Procedure 4(m), hereby respectfully moves the Court, in the alternative and in the event that the Court does not conclude upon consideration of the Motion to Dismiss filed by Defendants Chrome Media, LLC, f/k/a Synthesis Films, LLC, Laura Ricciardi, and Moira Demos that service of process of the Summons and Complaint in the above proceedings was accomplished on those Defendants prior to removal of this action and in accordance with Wisconsin Statutes, for an extension of time of sixty (60) days from the current deadline of July 2, 2019 (or from such other tolled deadline as may apply due to filing of Defendants' Motion to Dismiss), to accomplish service on said Defendants, pursuant to the Federal Rules of Civil Procedure and specifically Federal Rule of Civil Procedure 4(m).

Defendants further request an opportunity to conduct discovery regarding service of process and regarding the statements made in Defendants' and Defendants' witnesses'

declarations, as well as an evidentiary hearing to determine any factual disputes relating to service.

This motion is based on the facts set forth in the Statement of Facts Pertinent to Service of Process in the brief filed by Plaintiff this date, together with the supporting declarations of Andrew Colborn, Michael C. Griesbach, George Burnett, and April Rockstead Barker filed this date and the previously-filed declarations of Debra L. Bursik and Carlos Caceres, together with all other pleadings and documents of record, and is further based on the argument contained in the brief filed this date, and particularly Sections II.C and IV thereof.

Dated this 31st day of May, 2019.

LAW FIRM OF CONWAY, OLEJNICZAK & JERRY, S.C.
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By: *s/George Burnett*
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